

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WINARD CONSTRUCTION
& DEVELOPMENT, INC.

Plaintiff,

v.

TIMOTHY HARRINGTON,

Defendant.

Civil Action No. 04-10915-GAO

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff Winard Construction and Development, Inc., pursuant to Fed. R. Civ. P.
41(a)(1)(ii), hereby dismisses with prejudice all claims in the above-referenced matter against
Defendant Timothy Harrington, without costs and waiving all rights of appeal.

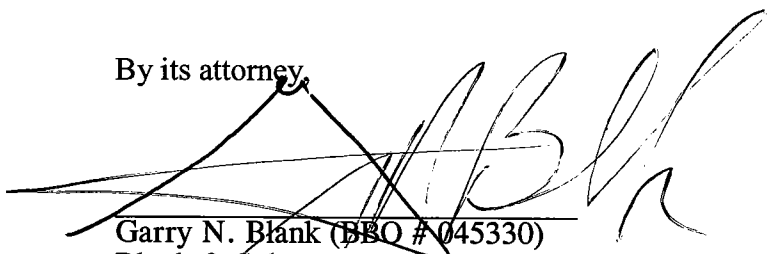
Respectfully submitted,

WINARD CONSTRUCTION AND
DEVELOPMENT, INC.

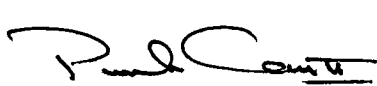
Respectfully submitted,

TIMOTHY HARRINGTON,

By its attorney,


Garry N. Blank (BBO #045330)
Blank & Solomon
449 Route 130
Sandwich, Massachusetts 02108
Telephone: 508.888.5900
Facsimile: 508.888.5925

By his attorney,


Peter F. Carr, II (BBO #600069)
Eckert Seamans Cherin & Mellott, LLC
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Telephone: 617.342.6800
Facsimile: 617.342.6899

Dated: March 17, 2006